

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WILLIAM MICHAEL WATTS,
ID# 39661-177,

Petitioner,

v.

MAUREEN CRUZ, Warden,

Respondent.

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Civil Action No. **3:10-CV-1354-L**

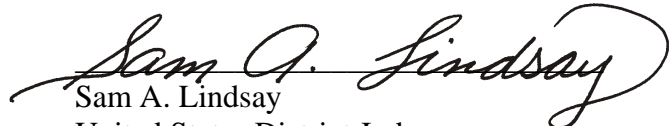
ORDER

Before the court are the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed September 13, 2010. Petitioner did not file objections.

This is a habeas petition brought pursuant to 28 U.S.C. § 2241. On July 8, 2010, Petitioner filed a motion for leave to proceed *in forma pauperis* (“IFP”). On July 15, 2010, the magistrate judge issued an order informing Petitioner that his motion did not provide a certificate of trust account (“CTA”) for the six months prior to the filing of the suit as required by 28 U.S.C. § 1915(a), and allowed him thirty days to correct the deficiency. On August 2, 2010, Petitioner filed an amended motion along with a CTA. The CTA showed a balance of \$63.10, and \$91 as the average monthly deposits for the previous six months. On August 4, 2010, the magistrate judge issued an order directing Petitioner to pay the \$5 filing fee within thirty days or otherwise his action would be dismissed. Petitioner failed to comply with the order. The magistrate judge determined that the petition should be dismissed without prejudice for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. Accordingly, the magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court **dismisses without prejudice** Petitioner's habeas petition.

It is so ordered this 30th day of September, 2010.


Sam A. Lindsay
United States District Judge